



## **Privacy Notice for Ellen Wilkinson Primary School**



Ellen Wilkinson Primary School is committed to protecting the privacy and security of personal information. This privacy notice describes how we collect and use personal information about pupils and parents, in accordance with the General Data Protection Regulation (GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

### **Who Collects This Information**

**Ellen Wilkinson Primary School, (Tollgate Road, Beckton, London. E6 5UP)** is a “data controller.” This means that we are responsible for deciding how we hold and use personal information about pupils.

Our data protection officer is **Craig Stilwell** (see ‘Contact us’ below).

### **The Categories of Pupil Information That We Collect, Process, Hold and Share**

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Personal information such as name, pupil number, date of birth, gender and contact information, identification documents;
- Emergency contact and family lifestyle information such as names, relationship, phone numbers and email addresses;
- Results of internal assessments and externally set tests
- Pupil and curricular records (including assessment);
- Characteristics (such as ethnicity, language, nationality, country of birth, free school meal eligibility or special educational needs);
- Attendance information (such as sessions attended, number of absences and reasons for absence);
- Performance and assessment information;
- Behavioural information (including exclusions);
- Special educational needs information;
- Relevant medical information (including physical and mental health);
- Safeguarding information;
- Details of any support received, including care packages, plans and support providers ;
- Images of pupils engaging in school activities;
- CCTV images captured by the School’s CCTV system;
- Information about the use of our IT, communications and other systems, and other monitoring information;

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

### **Collecting This Information**

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

### **How We Use Your Personal Information**

We hold pupil data and use it to: -

- Support pupil learning and quality of teaching;

- Provide education services and extra-curricular activities to pupils;
- Monitor and report on pupils' progress and educational needs including internal assessments, statutory assessments and annual reports;
- Record, evaluate and celebrate pupil achievements and experiences (including the use of photographic images, displays, books, digital signage);
- Provide and access appropriate support and advice in relation to any additional needs;
- Provide appropriate pastoral (and where necessary medical) care including Early Help;
- Safeguard pupils' welfare;
- Assess performance and quality of our service;
- Conduct educational research;
- Carry out statistical analysis for diversity purposes;
- Manage internal policy and procedure;
- Confirm the identity of prospective pupils and their parents:
- Administer admissions waiting lists (nursery only);
- Comply with legal obligations and duties of care (for example child protection, diversity monitoring and health and safety);
- Comply with the law regarding data sharing;
- Enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- Monitor the use of the school's IT and communications systems (in accordance with the school's IT security policy);
- Support security of the school site including CCTV;

### **Our Legal Basis for Using the Information**

We will only collect use pupils' personal data when the law allows us to. Most commonly, we will use your information in the following circumstances: -

- Consent: the individual has given clear consent to process their personal data for a specific purpose;
- Contract: the processing is necessary for a contract with the individual;
- Legal obligation: the processing is necessary to comply with the law (not including contractual obligations);
- Vital interests: the processing is necessary to protect someone's life.
- Public task: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law; and
- The Education Act 1996: for Departmental Censuses 3 times a year. More information can be found at: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

We need all the categories of information in the list above primarily to allow us to comply with legal obligations. Please note that we may process information without knowledge or consent, where this is required or permitted by law.

### **Sharing Data**

We may need to share your data with third parties where it is necessary. There are strict controls on who can see your information. We will not share your data if you have advised us that you do not want it shared unless it's the only way we can make sure you stay safe and healthy or we are legally required to do so.

We share pupil information with: -

- the Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013;
- The pupil's family and representatives (if they have parental responsibility)
- Ofsted;
- Other Schools that pupils have attended/will attend;
- Educators and exam bodies (where applicable)

- NHS;
- Welfare services (such as social services);
- Law enforcement officials such as police, HMRC;
- Local Authority Designated Officer;
- Professional advisors such as lawyers and consultants;
- Charities and voluntary organisations;
- Support services (including insurance, IT support, information security);
- Suppliers and service providers (to enable them to provide the service we have contracted them for);
- The Local Authority (to meet our legal obligations such as admission and assessment information);
- Professional bodies.

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations; we require them to respect the security of your data and to treat it in accordance with the law.

In the unlikely event that we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

### **Why We Share This Information**

We do not share information about our pupils with anyone without consent unless otherwise required by law.

For example, we share student's data with the DfE on a statutory basis which underpins school funding and educational attainment. To find out more about the data collection requirements placed on us by the DfE please go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

### **Storing Pupil Data**

The School keep information about pupils on computer systems and sometimes on paper.

Except as required by law, the School only retains information about pupils for as long as necessary in accordance with timeframes imposed by law and our internal policy.

If you require further information about our retention periods, please contact Sue Ferguson who can provide you with a copy of our policy.

### **Automated Decision Making**

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision making in limited circumstances.

Pupils will not be subject to automated decision-making, unless we have a lawful basis for doing so and we have notified you.

### **Security**

We have put in place measures to protect the security of your information (i.e. against it being accidentally lost, used or accessed in an unauthorised way).

### **The National Pupil Database**

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

- For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>
- For information about which organisations the department has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>
- To contact DfE: <https://www.gov.uk/contact-dfe>

### **Requesting Access to Your Personal Data**

Under data protection legislation, parents and pupils have the right to make a '**subject access request**' to access information about them that we hold. To make a request for your personal information, [or be given access to your child's education record], please contact Sue Ferguson.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

### **Other Rights**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to processing of personal data that is likely to cause, or is causing, damage or distress;
- Prevent processing for the purposes of direct marketing;
- Object to decisions being taken by automated means;
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- Claim compensation for damages caused by a breach of the data protection regulations.

If you want to exercise any of the above rights, please contact Sue Ferguson in writing.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **Right to Withdraw Consent**

In circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact Sue Ferguson. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **Contact Us**

If you would like to discuss anything within this privacy notice or have a concern about the way we are collecting or using your personal data, we request that you raise your concern with **Sue Ferguson** in the first instance.

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by **Sue Ferguson**, then you can contact the DPO on the details below: -

**Data Protection Officer Name:** Craig Stilwell

**Data Protection Officer Details:** Judicium Consulting Ltd, 72 Cannon Street, London, EC4N 6AE

**Data Protection Officer Email:** [dataservices@judicium.com](mailto:dataservices@judicium.com)

### **Complaints**

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### **Changes to This Privacy Notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.